

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, FEBRUARY 8, 2023

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JOURNAL OF THE HOUSE

Thirty-first Calendar Day - Twentieth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, February 8, 2023

The House met pursuant to adjournment at 8:32 a.m., Hayes of Mahaska in the chair.

Prayer was offered by Dieken of O'Brien.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Grace Cable, Page from Eldora.

The Journal of Tuesday, February 7, 2023, was approved.

INTRODUCTION OF BILLS

[House File 228](#), by Mohr and Kniff McCulla, a bill for an act relating to Medicare supplement policies and an annual open enrollment period.

Read first time and referred to committee on **Health and Human Services**.

[House File 229](#), by Shipley, a bill for an act relating to the standard of judicial review and providing a claim or defense when a state action burdens a person's exercise of religion, and including effective date provisions.

Read first time and referred to committee on **Judiciary**.

[House File 230](#), by Determann, Bradley, Mommsen, Cooling, Collins, and Kaufmann, a bill for an act requiring the state transportation commission to prioritize the improvement of United States highway 30.

Read first time and referred to committee on **Transportation**.

[House File 231](#), by Determann, Bradley, Mommsen, Cooling, Collins, and Kaufmann, a bill for an act relating to regional representation and residency requirements for members of the state transportation commission, and including effective date and applicability provisions.

Read first time and referred to committee on **Transportation**.

[House File 232](#), by committee on Judiciary, a bill for an act relating to probate proceedings, including fiduciary and trustee duties, and including applicability provisions.

Read first time and placed on the **calendar**.

On motion by Kniff McCulla of Marion, the House was recessed at 8:40 a.m., until 1:00 p.m.

AFTERNOON SESSION

The House reconvened at 3:06 p.m., Speaker Grassley in the chair.

INTRODUCTION OF BILLS

[House Joint Resolution 4](#), by Wills, Gustoff, Stone, Mohr, and Lundgren, a joint resolution calling for an Article V convention in order to propose amendments to the Constitution of the United States that impose fiscal restraints, limit the power and jurisdiction of the federal government, and limit the number of terms that a person may serve in Congress.

Read first time and referred to committee on **State Government**.

[House Joint Resolution 5](#), by Shipley, a joint resolution proposing an amendment to the Constitution of the State of Iowa relating to medical treatment.

Read first time and referred to committee on **Judiciary**.

[House File 233](#), by Gehlbach and Rinker, a bill for an act relating to determination of school district enrollments and education savings account participation and including effective date and applicability provisions.

Read first time and referred to committee on **Education**.

[House File 234](#), by Siegrist, a bill for an act relating to the minimum salary for teachers.

Read first time and referred to committee on **Education**.

[House File 235](#), by Fry, a bill for an act relating to Medicaid reimbursement for services to individuals who meet the nursing home level of care and are required to register as sex offenders.

Read first time and referred to committee on **Health and Human Services**.

[House File 236](#), by Shipley, a bill for an act relating to a vitamin and mineral sufficiency public awareness program.

Read first time and referred to committee on **Health and Human Services**.

[House File 237](#), by Shipley, a bill for an act relating to tampering with witnesses or jurors, and providing penalties.

Read first time and referred to committee on **Judiciary**.

[House File 238](#), by Shipley, a bill for an act relating to hazardous liquid pipelines transporting liquefied carbon dioxide.

Read first time and referred to committee on **Judiciary**.

[House File 239](#), by Shipley, a bill for an act relating to immunity from criminal or civil liability in cases involving the justifiable use of reasonable force.

Read first time and referred to committee on **Judiciary**.

[House File 240](#), by Shipley, a bill for an act removing psilocybin and psilocyn from the list of substances classified as schedule I controlled substances under Iowa's uniform controlled substances Act.

Read first time and referred to committee on **Public Safety**.

[House File 241](#), by Gjerde, a bill for an act establishing the truancy evaluation and reduction pilot program to be administered by the department of education and making appropriations.

Read first time and referred to committee on **Education**.

[House File 242](#), by Jones and Bossman, a bill for an act establishing daylight saving time as the official time in this state throughout the year.

Read first time and referred to committee on **State Government**.

[House File 243](#), by committee on Commerce, a bill for an act relating to insurance coverage for covered individuals for the treatment of autism spectrum disorder.

Read first time and placed on the **calendar**.

CONSIDERATION OF BILL Regular Calendar

[House File 161](#), a bill for an act relating to noneconomic damage awards against health care providers, and including effective date and applicability provisions, was taken up for consideration.

Lohse of Polk offered amendment [H-1002](#) filed by him.

Lohse of Polk asked and received unanimous consent to withdraw amendment [H-1003](#), to amendment [H-1002](#), filed by him on February 1, 2023.

Jones of Clay asked and received unanimous consent to withdraw amendment [H-1004](#), to amendment [H-1002](#), filed by her and Lohse of Polk on February 1, 2023.

Jones of Clay offered amendment [H-1017](#), to amendment [H-1002](#), filed by her and Lohse of Polk from the floor and moved its adoption.

Amendment [H-1017](#), to amendment [H-1002](#), was adopted.

Lohse of Polk moved the adoption of amendment [H-1002](#), as amended.

Roll call was requested by Konfrst of Polk and Steckman of Cerro Gordo.

On the question "Shall amendment [H-1002](#), as amended, be adopted?" ([H.F. 161](#))

The ayes were, 24:

Andrews	Brown-Powers	Cisneros	Croken
Ehlert	Forbes	Gerhold	Ingels
Isenhardt	Jacoby	Jeneary	Jones
Judge	Lohse	Osmundson	Rinker
Sherman	Shipley	Sorensen	Steckman
Thomson	Turek	Wilburn	Zabner

The nays were, 75:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Bergan	Best	Bloomingtondale	Boden
Bossman	Bradley	Buck	Cahill
Carlson	Collins	Cooling	Determann
Deyoe	Dieken	Dunwell	Fisher
Fry	Gaines	Gehlbach	Gjerde
Golding	Graber	Gustoff	Harris
Hayes	Henderson	Holt	Hora
James	Johnson	Kaufmann	Kniff McCulla
Konfrst	Kressig	Kurth	Latham
Levin	Lundgren	Madison	Matson
Meggers	Meyer, A.	Meyer, B.	Mohr
Mommsen	Moore	Nielsen	Nordman
Olson	Scheetz	Scholten	Sexton
Sieck	Siegrist	Srinivas	Staed
Stoltenberg	Stone	Thompson, M.	Thompson, P.
Vondran	Wessel-Kroeschell	Wheeler	Wills
Wilson	Wilz	Windschitl	Wood
Wulf	Young	Speaker	
		Grassley	

Absent or not voting, 1:

Gustafson

Amendment [H-1002](#), as amended, lost.

Matson of Polk offered amendment [H-1007](#) filed by her.

Matson of Polk offered amendment [H-1013](#), to amendment [H-1007](#), filed by her and moved its adoption.

Amendment [H-1013](#), to amendment [H-1007](#), was adopted.

A. Meyer of Webster rose on a point of order that amendment [H-1007](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-1007](#), as amended, not germane.

Matson of Polk asked for unanimous consent to suspend the rules to consider amendment [H-1007](#), as amended.

Objection was raised.

Matson of Polk moved to suspend the rules to consider amendment [H-1007](#), as amended.

Roll call was requested by Matson of Polk and Konfrst of Polk.

On the question “Shall the rules be suspended to consider amendment [H-1007](#), as amended?” ([H.F. 161](#))

The ayes were, 38:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Bergan	Brown-Powers	Buck	Cahill
Cooling	Croken	Ehlert	Forbes
Gaines	Gjerde	Isenhardt	Jacoby
James	Jones	Judge	Konfrst
Kressig	Kurth	Levin	Madison
Matson	Meyer, B.	Nielsen	Olson
Scheetz	Scholten	Srinivas	Staed
Steckman	Turek	Wessel-Kroeschell	Wilburn
Wilson	Zabner		

The nays were, 61:

Andrews	Best	Bloomingtondale	Boden
Bossman	Bradley	Carlson	Cisneros

Collins	Determann	Deyoe	Dieken
Dunwell	Fisher	Fry	Gehlbach
Gerhold	Golding	Graber	Gustoff
Harris	Hayes	Henderson	Holt
Hora	Ingels	Jeneary	Johnson
Kaufmann	Kniff McCulla	Latham	Lohse
Lundgren	Meggers	Meyer, A.	Mohr
Mommsen	Moore	Nordman	Osmundson
Rinker	Sexton	Sherman	Shipley
Sieck	Siegrist	Sorensen	Stoltenberg
Stone	Thompson, M.	Thompson, P.	Thomson
Vondran	Wheeler	Wills	Wilz
Windschitl	Wood	Wulf	Young
Speaker Grassley			

Absent or not voting, 1:

Gustafson

The motion to suspend the rules lost.

A. Meyer of Webster offered amendment [H-1014](#) filed by her.

A. Meyer of Webster offered amendment [H-1015](#), to amendment [H-1014](#), filed by her and moved its adoption.

Amendment [H-1015](#), to amendment [H-1014](#), was adopted.

Konfrst of Polk rose on a point of order that amendment [H-1014](#), as amended, was not germane.

The Speaker ruled the point well taken and amendment [H-1014](#), as amended, not germane.

A. Meyer of Webster asked for unanimous consent to suspend the rules to consider amendment [H-1014](#), as amended.

Objection was raised.

A. Meyer of Webster moved to suspend the rules to consider amendment [H-1014](#), as amended.

Roll call was requested by Konfrst of Polk and Matson of Polk.

On the question “Shall the rules be suspended to consider amendment [H-1014](#)?” ([H.F. 161](#))

The ayes were, 58:

Andrews	Bergan	Best	Bloomingtondale
Boden	Bossman	Bradley	Carlson
Collins	Determann	Deyoe	Dunwell
Fisher	Fry	Gehlbach	Golding
Grabner	Gustoff	Harris	Hayes
Henderson	Holt	Hora	Ingels
Jeneary	Johnson	Kaufmann	Kniff McCulla
Latham	Lundgren	Meggers	Meyer, A.
Mohr	Mommsen	Moore	Nordman
Osmundson	Rinker	Sexton	Sherman
Shipley	Sieck	Siegrist	Sorensen
Stoltenberg	Stone	Thompson, M.	Thompson, P.
Thomson	Vondran	Wheeler	Wills
Wilz	Windschitl	Wood	Wulf
Young	Speaker		
	Grassley		

The nays were, 41:

Abdul-Samad	Amos Jr.	Baeth	Bagniewski
Brown-Powers	Buck	Cahill	Cisneros
Cooling	Croken	Dieken	Ehlert
Forbes	Gaines	Gerhold	Gjerde
Isenhardt	Jacoby	James	Jones
Judge	Konfrst	Kressig	Kurth
Levin	Lohse	Madison	Matson
Meyer, B.	Nielsen	Olson	Scheetz
Scholten	Srinivas	Staed	Steckman
Turek	Wessel-Kroeschell	Wilburn	Wilson
Zabner			

Absent or not voting, 1:

Gustafson

The motion to suspend the rules prevailed.

A. Meyer of Webster moved the adoption of amendment [H-1014](#), as amended.

Roll call was requested by Konfrst of Polk and Matson of Polk.

On the question “Shall amendment [H-1014](#), as amended, be adopted?” ([H.F. 161](#))

The ayes were, 53:

Bergan	Best	Bloomingtondale	Boden
Bossman	Bradley	Carlson	Collins
Determann	Deyoe	Dunwell	Fisher
Fry	Gehlbach	Golding	Graber
Gustoff	Harris	Henderson	Holt
Hora	Ingels	Jeneary	Johnson
Kaufmann	Kniff McCulla	Latham	Lundgren
Meggers	Meyer, A.	Mohr	Mommsen
Moore	Nordman	Rinker	Sexton
Sherman	Sieck	Siegrist	Sorensen
Stone	Thompson, M.	Thompson, P.	Thomson
Vondran	Wheeler	Wills	Wilz
Windschitl	Wood	Wulf	Young
Speaker			
Grassley			

The nays were, 45:

Abdul-Samad	Amos Jr.	Andrews	Baeth
Bagniewski	Brown-Powers	Buck	Cahill
Cisneros	Cooling	Dieken	Ehlert
Forbes	Gaines	Gerhold	Gjerde
Hayes	Isenhardt	Jacoby	James
Jones	Judge	Konfrst	Kressig
Kurth	Levin	Lohse	Madison
Matson	Meyer, B.	Nielsen	Olson
Osmundson	Scheetz	Scholten	Shipley
Srinivas	Staed	Steckman	Stoltenberg
Turek	Wessel-Kroeschell	Wilburn	Wilson
Zabner			

Absent or not voting, 2:

Croken	Gustafson
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Amendment [H-1014](#), as amended, was adopted.

Windschitl of Harrison rose on a point of order under Rule 10, decorum in debate.

The Speaker resolved the point of order.

Windschitl of Harrison rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point well taken.

B. Meyer of Polk rose on a point of order under Rule 10, decorum in debate.

The Speaker ruled the point not well taken.

A. Meyer of Webster moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question “Shall the bill pass?” ([H.F. 161](#))

The ayes were, 54:

Bergan	Best	Bloomingtondale	Boden
Bossman	Bradley	Carlson	Collins
Croken	Determann	Deyoe	Dunwell
Fisher	Fry	Gehlbach	Golding
Grabner	Gustafson	Gustoff	Harris
Henderson	Holt	Hora	Ingels
Jeneary	Johnson	Kaufmann	Kniff McCulla
Latham	Lundgren	Meggers	Meyer, A.
Mohr	Mommsen	Moore	Nordman
Rinker	Sexton	Sieck	Siegrist
Sorensen	Stone	Thompson, M.	Thompson, P.
Thomson	Vondran	Wheeler	Wills
Wilz	Windschitl	Wood	Wulf
Young	Speaker		
	Grassley		

The nays were, 46:

Abdul-Samad	Amos Jr.	Andrews	Baeth
Bagniewski	Brown-Powers	Buck	Cahill
Cisneros	Cooling	Dieken	Ehlert
Forbes	Gaines	Gerhold	Gjerde
Hayes	Isenhardt	Jacoby	James
Jones	Judge	Konfrst	Kressig
Kurth	Levin	Lohse	Madison
Matson	Meyer, B.	Nielsen	Olson
Osmundson	Scheetz	Scholten	Sherman
Shiple	Srinivas	Staed	Steckman
Stoltenberg	Turek	Wessel-Kroeschell	Wilburn
Wilson	Zabner		

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House.

Pursuant to Article III, Section 29, Constitution of the State of Iowa, B. Meyer of Polk rose on a point of order and objected to the title of [House File 161](#).

The Speaker ruled the point not well taken and the title, as amended, was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Gustafson of Warren

IMMEDIATE MESSAGE

Windschitl of Harrison asked and received unanimous consent that [House File 161](#) be immediately messaged to the Senate.

HOUSE FILE WITHDRAWN

Windschitl of Harrison asked and received unanimous consent to withdraw [House File 102](#) from further consideration by the House.

REREFERRED

The Speaker announced that [House File 221](#), previously referred to committee on **State Government** was rereferred to committee on **Education**.

The Speaker announced that [House File 228](#), previously referred to committee on **Health and Human Services** was rereferred to committee on **Commerce**.

EXPLANATION OF VOTE

On February 8, 2023, I inadvertently voted “aye” on [House File 161](#), I meant to vote “nay”.

Gustafson of Warren

STUDY BILL COMMITTEE ASSIGNMENTS

[H.S.B. 150](#) Labor and Workforce

Relating to boiler inspections.

[H.S.B. 151](#) Economic Growth and Technology

Relating to state software licensing restrictions.

[H.S.B. 152](#) State Government

Relating to the ownership of dogs, and making penalties applicable.

SUBCOMMITTEE ASSIGNMENTS

[House File 157](#)

Ways and Means: Siegrist, Chair; Best and Wilson.

[House File 170](#)

Transportation: Meggers, Chair; Henderson and Madison.

[House File 211](#)

Commerce: Best, Chair; Jacoby and Young.

[House File 214](#)

Transportation: Gerhold, Chair; Kressig and Thomson.

[House File 226](#)

Health and Human Services: Boden, Chair; Bergan and Brown-Powers.

STUDY BILL SUBCOMMITTEE ASSIGNMENTS

[House Study Bill 144](#) Reassigned

State Government: Golding, Chair; Bossman and Gjerde.

[House Study Bill 150](#)

Labor and Workforce: Johnson, Chair; Buck and Golding.

[House Study Bill 151](#)

Economic Growth and Technology: Wood, Chair; Moore and Turek.

[House Study Bill 152](#)

State Government: Bossman, Chair; Collins and Gjerde.

COMMITTEE RECOMMENDATIONS

MR. SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendations have been received and are on file in the office of the Chief Clerk:

MEGHAN NELSON
Chief Clerk of the House

COMMITTEE ON COMMERCE

Committee Bill (Formerly [House File 82](#)), relating to allowable forms of payment for amusement concessions at an amusement park and an arcade.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 33](#)), relating to communication methods regarding the disposition of unclaimed property and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 34](#)), relating to the application for a certificate of franchise authority applicable to the provision of video services and including effective date provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 73](#)), relating to electric power generating facility emission plans and projects, and including effective date and applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 74](#)), relating to insurance coverage for covered individuals for the treatment of autism spectrum disorder.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 96](#)), relating to investments of funds by life insurers, and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

COMMITTEE ON EDUCATION

Committee Bill (Formerly [House File 4](#)), modifying requirements related to teacher intern license programs and licenses and authorizations issued by the board of educational examiners and establishing a temporary initial teaching license to be issued by the board of educational examiners to applicants who complete an alternative teacher certification program.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

Committee Bill (Formerly [House File 16](#)), establishing the comprehensive transition and postsecondary program scholarship program.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2023.

Committee Bill (Formerly [House File 39](#)), authorizing students enrolled in charter schools to participate in extracurricular athletic activities provided by the student's school district of residence.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2023.

Committee Bill (Formerly [House File 100](#)), relating to the minimum age of applicants for licenses from the board of educational examiners.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 47](#)), relating to loan repayments made by the college student aid commission under the mental health professional loan repayment program and including applicability provisions.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 58](#)), relating to requirements for and restrictions on special minor's driver's licenses, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 7, 2023.

Committee Bill (Formerly [House Study Bill 90](#)), relating to the study of cosmetology.

Fiscal Note: **No**

Recommendation: **Do Pass** February 7, 2023.

COMMITTEE ON PUBLIC SAFETY

Committee Bill (Formerly [House File 78](#)), relating to fees charged to a prisoner in the custody of a county sheriff or municipality for administrative costs, room and board, and medical aid.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2023.

COMMITTEE ON TRANSPORTATION

Committee Bill (Formerly [House Study Bill 28](#)), relating to third-party testers who administer the knowledge and driving skills tests required for a commercial learner's permit or commercial driver's license.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2023.

Committee Bill (Formerly [House Study Bill 92](#)), relating to commercial driver's licenses and commercial learner's permits, including compliance with federal regulations, and making penalties applicable.

Fiscal Note: **No**

Recommendation: **Do Pass** February 8, 2023.

COMMITTEE ON VETERANS AFFAIRS

Committee Bill (Formerly [House Study Bill 103](#)), relating to matters under the purview of the department of veterans affairs, including county commissions of veteran affairs and cemetery expenditures.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** February 8, 2023.

RESOLUTIONS FILED

[H.C.R. 7](#), by Committee on Ethics, a concurrent resolution relating to the joint rules governing lobbyists of the Senate and House of Representatives for the Ninetieth General Assembly.

Placed on the **calendar**.

[H.R. 7](#), by Committee on Ethics, a resolution relating to the code of ethics of the House of Representatives for the Ninetieth General Assembly.

Placed on the **calendar**.

AMENDMENT FILED

<u>H-1017</u>	<u>H.F. 161</u>	Jones of Clay
		Lohse of Polk

On motion by Windschitl of Harrison, the House adjourned at 5:32 p.m., until 8:30 a.m., Thursday, February 9, 2023.